

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 10-4053-01-CR-C-FJG
	)	
JIMMY DUANE DAVIS,	)	
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION  
CONCERNING PLEA OF GUILTY**

Defendant Jimmy Duane Davis, by consent, appeared before the undersigned on July 24, 2012, pursuant to Rule 11 of the Federal Rules of Criminal Procedure, Local Rule 72(c)(1)(j), and 28 U.S.C. § 636, and has entered a plea of guilty to Count One of the Superseding Indictment filed on January 13, 2011. After cautioning and examining the defendant, under oath, in accordance with the requirements of Rule 11, it was determined that the guilty plea was made with full knowledge of the charges and the consequences of pleading guilty, was voluntary, and that the offense to which the defendant has plead guilty is supported by a factual basis for each of the essential elements of the offense.

The defendant also agreed to forfeit to the United States the property described in the Forfeiture Allegation of the Superseding Indictment.

IT IS, THEREFORE, RECOMMENDED that the plea of guilty be accepted and that defendant Jimmy Duane Davis be adjudged guilty and have sentence imposed accordingly.

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its filing will bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).

Dated this 24<sup>th</sup> day of July, 2012, at Jefferson City, Missouri.

/s/ *Matt J. Whitworth*

MATT J. WHITWORTH  
United States Magistrate Judge